

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim 5 has been canceled without prejudice or disclaimer of the subject matter contained therein. Claims 1, 6, 8, 11 and 12 have been amended. Claim 13 has been added. Thus, claims 1-4 and 6-13 are pending in the present application, of which claims 1, 8, 11 and 12 are independent.

Approval of Drawings Requested

Drawings were submitted on December 3, 2003. To date, no official indication of approval of the drawings has been noted in the prosecution history. The undersigned has no reason to believe that this circumstance implies anything other than a minor oversight on the part of the USPTO. Accordingly, official approval of the drawings is hereby respectfully requested.

Claim Rejection Under 35 U.S.C. §102

Claims 1-3, 11 are rejected under 35 U.S.C. §102(e) as being anticipated by Tetsushi (US 6,198,820).

INDEPENDENT CLAIM 1

As an example, independent amended claim 1 recites (among other things) a feature of “a register adapted to store first information of a transmission capacity of the interface device itself, second information of a transmission rate that is presently possible, and third information of a transmission rate to be switched to next” and “the interface device negotiates with the further device using the first, second, and third information to determine a transmission rate, and the transmission rate control circuit changes the operation speed of the interface device in accordance with the determined transmission rate”. As will be explained below, at least this feature of amended claim 1 is a distinction over Tetsushi.

The Examiner alleged that Tetsushi discloses an interface device for performing data transmission with a further device coupled to a network at any of a plurality of transmission rates that are regulated, the interface device comprising a transmission rate control circuit configured

to generate a switch signal that changes an operation speed of the interface device when the transmission rate must be switched; and a clock generation circuit configured to change a frequency in response to the switch signal and generate a clock signal having the changed frequency on pages 2 and 3 in this Office Action. However, the Applicant respectfully submits that Tetsushi does not disclose at least the feature of amended claim 1 recited above. Rather, Tetsushi discloses that the portable remote terminal includes the switching device 1b-2-1 that changes a clock frequency between a high-frequency and a frequency for clock in response to a switching signal which is based on a transmission speed set in the clock setting register 1b-1-1 of the I/O controller (see Fig. 3). Hence, the noted feature, namely “a register adapted to store first information of a transmission capacity of the interface device itself, second information of a transmission rate that is presently possible, and third information of a transmission rate to be switched to next” and “the interface device negotiates with the further device using the first, second, and third information to determine a transmission rate, and the transmission rate control circuit changes the operation speed of the interface device in accordance with the determined transmission rate”, is a distinction over Tetsushi.

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. In view of the distinction of amended claim 1 noted above, at least one claimed element is not present in Tetsushi. Hence, Tetsushi does not anticipate amended claim 1.

Claims 2 and 3 ultimately depend from amended claim 1, and so at least similarly distinguish over Tetsushi. Hence, Tetsushi also does not anticipate claims 2 and 3.

INDEPENDENT CLAIM 11

As an example, independent amended claim 11 recites (among other things) a feature of “registering first information of a transmission capacity of the interface device itself, second information of a transmission rate that is presently possible, and third information of a transmission rate to be switched to next,” and “the plurality of devices negotiating with each other using the first, second, and third information to determine a transmission rate”, and “the changing the operation speed of the at least one of the plurality of devices includes changing the operation speed of each device in accordance with the determined transmission rate”. As will be explained below, at least this feature of amended claim 11 is a distinction over Tetsushi.

The Examiner alleged that Tetsushi discloses a method, comprising: configuring a transmission rate control circuit to change operation speed of at least one of a plurality of

devices when a transmission rate must be switched; and changing the operation speed of the at least one of the plurality of devices based on the configured transmission rate control circuit, wherein said configuring the transmission rate control circuit includes configuring the transmission rate control circuit to generate a switch signal that changes the operation speed of the interface device, the method further comprising: configuring a clock generation circuit to change a frequency in response to the switch signal to generate a clock signal having the changed frequency on pages 4 and 5 in this Office Action. However, the Applicant respectfully submits that Tetsushi does not disclose at least the feature of amended claim 1 recited above. Rather, Tetsushi discloses that the portable remote terminal includes the switching device 1b-2-1 that changes a clock frequency between a high-frequency and a frequency for clock in response to a switching signal which is based on a transmission speed set in the clock setting register 1b-1-1 of the I/O controller (see Fig. 3). Hence, the noted feature, namely “registering first information of a transmission capacity of the interface device itself, second information of a transmission rate that is presently possible, and third information of a transmission rate to be switched to next,” and “the plurality of devices negotiating with each other using the first, second, and third information to determine a transmission rate,” and “the changing the operation speed of the at least one of the plurality of devices includes changing the operation speed of each device in accordance with the determined transmission rate”, is a distinction over Tetsushi.

By failing to show each and every element of amended claim 11 as arranged in the claim, Tetsushi fails to anticipate amended claim 11.

In view of the foregoing discussion, the rejection of claims 1-3 and 11 is improper. Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejection Under 35 U.S.C. §103

Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Tetsushi (US 6,198,820) in view of Domon et al (US 6,950,408 B1 hereinafter “Domon”).

Claim 4 depends from independent amended claim 1. A basis for how Tetsushi is deficient vis-à-vis amended claim 1 has been discussed above. Domon also does not teach or suggest at least aforementioned feature of amended claim 1. Hence, the noted feature of amended claim 1 also is a distinction over Domon.

Among other things, a *prima facie* case of obviousness must establish that the asserted combination of references teaches or suggests each and every element of the claimed invention. In view of the distinction of amended claim 1 noted above, at least one claimed element is not present in the asserted combination of references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis amended claim 1. Claim 4 ultimately depends from amended claim 1, and so at least similarly distinguishes over the asserted combination of references.

In view of the foregoing discussion, the rejection of claim 4 is improper. Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejection Under 35 U.S.C. §103

Claims 5-7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tetsushi (US 6,198,820) in view of Cook et al (5,504,757 hereinafter “Cook”).

Since claim 5 has been canceled, claims 6 and 7 are pending in the present application. Claims 6 and 7 directly or indirectly depend from independent amended claim 1. A basis for how Tetsushi is deficient vis-à-vis amended claim 1 has been discussed above. Cook also does not teach or suggest at least aforementioned feature of amended claim 1. Hence, the noted feature of amended claim 1 also is a distinction over Cook.

Among other things, a *prima facie* case of obviousness must establish that the asserted combination of references teaches or suggests each and every element of the claimed invention. In view of the distinction of amended claim 1 noted above, at least one claimed element is not present in the asserted combination of references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis amended claim 1. Claims 6 and 7 ultimately depend from amended claim 1, and so at least similarly distinguishes over the asserted combination of references.

In view of the foregoing discussion, the rejection of claims 6 and 7 is improper. Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejection Under 35 U.S.C. §102

Claim 8 is rejected under 35 U.S.C. §102(b) as being anticipated by Harriman, JR et al. (US 5,442,750 hereinafter “Harriman”) in view of Tetsushi (US 6,198,820).

As an example, independent amended claim 8 recites (among other things) a feature of “the interface device adapted to store first information of a transmission capacity of the interface device itself, second information of a transmission rate that is presently possible, and third information of a transmission rate to be switched to next into the register”, “the interface device negotiating with the other devices using the first, second, and third information to determine a transmission rate”, and “the changing the operation speed of each device and the interface device includes changing the operation speed of each device and the interface device in accordance with the determined transmission rate”. As will be explained below, at least this feature of amended claim 8 is a distinction over Tetsushi.

Regarding Tetsushi, the Examiner alleged that Tetsushi discloses that the interface device includes a transmission rate control circuit and a clock generation circuit and said changing operation speeds of each device and the interface device includes: the transmission rate control circuit generating a switch signal that changes an operation speed of the interface device; and the clock generation circuit changing a frequency in response to the switch signal to generate a clock signal having the changed frequency on pages 8 to 10 in this Office Action. However, the Applicant respectfully submits that Tetsushi does not disclose at least the feature of amended claim 8 recited above. Rather, Tetsushi discloses that the portable remote terminal includes the switching device 1b-2-1 that changes a clock frequency between a high-frequency and a frequency for clock in response to a switching signal which is based on a transmission speed set in the clock setting register 1b-1-1 of the I/O controller (see Fig. 3). Hence, the noted feature, namely “the interface device adapted to store first information of a transmission capacity of the interface device itself, second information of a transmission rate that is presently possible, and third information of a transmission rate to be switched to next into the register”, “the interface device negotiating with the other devices using the first, second, and third information to determine a transmission rate”, and “the changing the operation speed of each device and the interface device includes changing the operation speed of each device and the interface device in accordance with the determined transmission rate”, is a distinction over Tetsushi.

Regarding Harriman, the Examiner acknowledged that Harriman is silent about the interface device includes a transmission rate control circuit and a clock generation circuit and

said changing operation speeds of each device and the interface device includes: the transmission rate control circuit generating a switch signal that changes an operation speed of the interface device; and the clock generation circuit changing a frequency in response to the switch signal to generate a clock signal having the changed frequency on pages 10 and 11 in this Office Action. The Applicant respectfully submits that Harriman also does not disclose at least the feature of amended claim 8 recited above. Hence, the noted feature, namely “the interface device adapted to store first information of a transmission capacity of the interface device itself, second information of a transmission rate that is presently possible, and third information of a transmission rate to be switched to next into the register”, “the interface device negotiating with the other devices using the first, second, and third information to determine a transmission rate”, and “the changing the operation speed of each device and the interface device includes changing the operation speed of each device and the interface device in accordance with the determined transmission rate”, is a distinction over Harriman.

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. In view of the distinction of amended claim 8 noted above, at least one claimed element is not present in Tetsushi and Harriman. Hence, Tetsushi and Harriman do not anticipate amended claim 8.

Furthermore, on pages 8 and 11 in this Office Action, it is respectively pointed out that claim 8 was rejected under 35 U.S.C. §102(b) although this rejection is based on the combination of Tetsushi and Harriman. Neither Tetsushi nor Harriman also teach or suggest at least aforementioned feature of amended claim 8. Hence, the noted feature of amended claim 8 is also patentable over the combination of Harriman and Domon.

In view of the foregoing discussion, the rejection of claim 8 is improper. Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejection Under 35 U.S.C. §103

Claim 9 is rejected under 35 U.S.C. §103(a) as being unpatentable over Harriman, JR et al. (US 5,442,750) and Tetsushi (US 6,198,820) in view of Domon et al (US 6,950,408 B1 hereinafter “Domon”).

Claim 9 depends from independent amended claim 8. A basis for how Tetsushi is deficient vis-à-vis amended claim 8 has been discussed above. Neither Harriman nor Domon

also teach or suggest at least aforementioned feature of amended claim 8. Hence, the noted feature of amended claim 8 also is a distinction over Harriman and Domon.

Among other things, a *prima facie* case of obviousness must establish that the asserted combination of references teaches or suggests each and every element of the claimed invention. In view of the distinction of amended claim 8 noted above, at least one claimed element is not present in the asserted combination of references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis amended claim 8. Claim 9 ultimately depends from amended claim 8, and so at least similarly distinguishes over the asserted combination of references.

In view of the foregoing discussion, the rejection of claim 9 is improper. Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejection Under 35 U.S.C. §103

Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over Harriman, JR et al. (US 5,442,750), Tetsushi (US 6,198,820), and Domon et al (US 6,950,408 B1) in view of Hester et al. (US 5,097,410 hereinafter "Hester")

Claim 10 indirectly depends from independent amended claim 8. A basis for how Tetsushi is deficient vis-à-vis amended claim 8 has been discussed above. None of Harriman, Domon, and Hester also teach or suggest at least aforementioned feature of amended claim 8. The Office Action does not rely upon to compensate for these deficiencies. Hence, the noted feature of amended claim 8 also is a distinction over Harriman, Domon, and Hester.

Among other things, a *prima facie* case of obviousness must establish that the asserted combination of references teaches or suggests each and every element of the claimed invention. In view of the distinction of amended claim 8 noted above, at least one claimed element is not present in the asserted combination of references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis amended claim 8. Claim 10 ultimately depends from amended claim 8, and so at least similarly distinguishes over the asserted combination of references.

In view of the foregoing discussion, the rejection of claim 10 is improper. Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejection Under 35 U.S.C. §103

Claim 12 is rejected under 35 U.S.C. §103(a) as being unpatentable over Tetsushi (US 6,198,820) in view of Mitsuishi et al (US 5,774,702 hereinafter “Mitsuishi”).

As an example, independent amended claim 12 recites (among other things) feature of “the transmission rate control circuit controls whether or not the operation speed is returned based on a negotiation between the interface device and the another interface device”. As will be explained below, this feature of amended claim 12 is a distinction over Tetsushi, and thus over its combination with Tetsushi and Mitsuishi.

The Examiner alleged that Tetsushi is silent about returning an operation speed of the interface device from the high speed to the low speed in the case that an operating state of the interface device is reset. The Applicant respectfully submits that Tetsushi also does not disclose at least the feature of amended claim 12 recited above. Rather, Tetsushi discloses that the portable remote terminal includes the switching device 1b-2-1 that changes a clock frequency between a high-frequency and a frequency for clock in response to a switching signal which is based on a transmission speed set in the clock setting register 1b-1-1 of the I/O controller (see Fig. 3). Hence, the noted feature of amended claim 12, namely “the transmission rate control circuit controls whether or not the operation speed is returned based on a negotiation between the interface device and the another interface device”, is a distinction over Tetsushi.

Regarding Mitsuishi, the Applicant respectfully submits that Mitsuishi does not disclose at least the feature of amended claim 12 recited above. Rather, Mitsuishi discloses changing the initial setting of the speed based on the level set by the external terminal setting (see column 39, lines 53-65). Hence, the noted feature of amended claim 12, namely “the transmission rate control circuit controls whether or not the operation speed is returned based on a negotiation between the interface device and the another interface device”, is a distinction over Mitsuishi.

Among other things, a prima facie case of obviousness must establish that the asserted combination of references teaches or suggests each and every element of the claimed invention. In view of the distinction of amended claim 12 noted above, at least one claimed element is not present in the asserted combination references. Hence, the Office Action fails to teach a prima facie case of obviousness vis-à-vis amended claim 12.

In view of the foregoing discussion, the rejection of claim 12 is improper. Accordingly, withdrawal of the rejection is respectfully requested.

New Claims

Again, new claim 13 has been added. Distinguishing feature of claim 12 has been noted above. As for new claim 13 not argued above, the following comments are provided.

A feature that distinguishes new independent claim 13 over the applied art is that “the negotiation is executed before a bus reset for updating a network configuration including the interface device and the another interface device, and the reset of the operating state of the interface device is executed by the bus reset”. New claim ultimately depends from claim 12, and so at least similarly distinguish over asserted combination of references.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below.

Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 19-3935.

Respectfully submitted,
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/Mehdi D. Sheikerz/

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